

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

RASHID JAHM,

Plaintiff,

v

No. 1:05-CV-11638-JLT

HON. JOSEPH L. TAURO

MICHIGAN STATE, STATE OF MICHIGAN,  
DENNIS D. LEIBER, MARY KELLY,  
JENNIFER M. GRANHOLM, PAUL J.  
FISCHER, CRAIG NOLAND, KEMPER  
INSURANCE PRESIDENT CLAIM  
DEPARTMENT, CATHERINE GARCIA-  
LINDSTROM, GEORGE S. BUTH, SHAWN  
M. BREIMAYER, STEPHEN C.  
BRANDSDORFER, STEVEN C. COUCH,  
GEORGE L. McGARGER and MIDWEST  
CLAIMS SERVICES,

Defendants.

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**DEFENDANTS STATE OF MICHIGAN, MICHIGAN STATE, GOVERNOR JENNIFER  
M. GRANHOLM, AND PAUL J. FISCHER'S MOTION TO DISMISS**

Defendants State of Michigan, Michigan State, Governor Jennifer M. Granholm, and  
Paul J. Fischer, by counsel, by counsel, pursuant to Fed R Civ P 12(b)(1)(2)(3) and (6), moves  
the Court to enter its Order granting summary judgment based upon the following grounds:

1. Plaintiff's complaint against the State of Michigan defendants is barred by  
Eleventh Amendment immunity, thereby warranting dismissal under Fed R Civ P 12(b)(1).
2. Plaintiff's complaint is also barred because this court lacks personal jurisdiction  
over the State of Michigan defendants, thereby warranting dismissal under Fed R Civ P 12(b)(2).
3. Even if this court had jurisdiction over the State of Michigan defendants, venue is  
improper, thereby warranting dismissal under Fed R Civ P 12(b)(3).
4. Plaintiff's complaint against the State of Michigan defendants is also barred  
because it fails to state a claim upon which relief can be granted, thereby warranting dismissal  
under Fed R Civ P 12(b)(6).
5. Concurrence in the relief sought herein was requested of plaintiff and was denied,  
thereby necessitating this motion.

Defendants State of Michigan, Michigan State, Governor Jennifer M. Granholm, and Paul J. Fischer respectfully request that the Court dismiss plaintiff's complaint and award any other relief that it deems equitable and just.

Respectfully submitted,

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